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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

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| SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 715 |) No. |
| Petitioner, |) ADMINISTRATIVE MOTION TO |
| |) CONSIDER WHETHER CASES |
| v. |) SHOULD BE RELATED |
| |) [CIVIL L.R. 3-12] |
| STANFORD HOSPITAL AND CLINICS AND |) |
| LUCILE PACKARD CHILDREN'S |) |
| HOSPITAL, |) |
| Respondents. |) |

Pursuant to Civil Local Rule 3-12, Petitioner Service Employees International Union, Local 715 ("Local 715" or the "Union") files this Administrative Motion to Consider Whether Cases Should Be Related. Local 715 believes that the instant case is related to the case referenced below, which is currently pending before the District Court Judge Maxine Chesney. Both cases involve the same parties, the same Collective Bargaining Agreement, and substantially the same legal issues as the instant case.

1. Related Case.

The instant matter is related to *Stanford Hospital and Clinics and Lucile Packard Children's Hospital v. Service Employees International Union, Local 715*, Case No. C-07-5158-

1 MMC, currently pending before District Court Judge Maxine Chesney.

2 **2. Relationship of the Actions.**

3 The instant matter and the matter before Judge Chesney are related as defined by Civil
4 Local Rule 3-12(a) in that they involve substantially the same parties, labor agreement, and
5 questions of law.

6 Both actions involve the same parties and same Collective Bargaining Agreement ("CBA").
7 In the instant case, Local 715 is seeking an order confirming a recent arbitration award in which
8 Stanford Hospital and Clinics and Lucile Packard Children's Hospital (the "employer") has failed,
9 refused, and continues to fail and refuse to comply with. Local 715 presumes that the employer
10 will seek from the Court an order vacating the decision. Similarly, in the case before Judge
11 Chesney, the employer is seeking an Order vacating an arbitration award which it lost and,
12 consequently, has failed and refused to comply with. In that case, Local 715 seeks an order from
13 the Court denying the employer's petition to vacate and entering an order confirming the
14 arbitration award.

15 The legal issues are substantially the same, and if the cases are heard by different judges,
16 there will be an unduly burdensome duplication of both labor and expenses, and the possibility of
17 conflicting results. Both cases are brought pursuant to Section 301 of the Labor Management
18 Relations Act of 1947 ("LMRA"), 29 U.S.C. § 185(a). In addition, both cases involve the same
19 legal issues. In the present case, the employer has indicated through correspondence that it is
20 refusing to abide by the arbitrator's award because the award allegedly fails to draw its essence
21 from the parties' CBA, decided issues that were not arbitrable under the CBA, decided issues that
22 were not submitted to the arbitrator, ignored, modified, and/or contradicted provisions of the CBA,
23 and, that the arbitrator exceeded his authority and/or had no authority to decide the matter.
24 Likewise, in the matter before Judge Chesney, the employer makes the same legal arguments as to
25 why the arbitrator's award, in that case, should be vacated.

26 Accordingly, because it appears likely that there will be an unduly burdensome duplication
27 of labor and expense, and/or conflicting results if the cases are conducted before different judges.

1 This is primarily because both cases involve substantially the same parties and questions of law.

2 **3. Assignment of the Actions.**

3 Local 715 believes that the assignment of the action to Judge Chesney will conserve
4 judicial resources and promote an efficient determination of the actions. The matter assigned to
5 Judge Chesney was filed first in order; therefore, relating the cases before Judge Chesney is
6 appropriate.

7 **4. Conclusion.**

8 For the reasons stated above, Local 715 respectfully requests that a related case order be
9 entered respecting this new case listed above.

10 Dated: January 11, 2008

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